IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

MONDAY, THE 15TH OCTOBER 2007 / 23RD ASWINA 1929

WP(C).No. 30445 of 2007(Y)

AGAINST THE ORDER DATED 06/08/2007 IN TRANSFER IN OP.309/2007 of D.C. & SESSIONS COURT,KOZHIKODE
CS.134/2003 of MUNSIFF COURT, QUILANDY

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PETITIONER:

PRABHAKARAN NAIR, AGED 59 YEARS,
S/O. CHIRUTHEYI AMMA, ARAMKOTTAKKAL HOUSE,
AVIDANALLOOR AMSOM, POONATH DESOM,KOYILANDI TALUK,
KOZHIKODE DISTRICT.

BY ADV. SRI.SANTHARAM.P

RESPONDENTS:
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1. C. BHAISWAMI, AGED 42 YEARS,
EDOTHKANDY HOUSE, S/O. CHINNASWAMI,
PANNIYANKARA AMSOM, DESOM, KOZHIKODE TALUK.

2. MELEKANDIYIL APPUKUTTY,
AGED 59 YEARS, S/O.KUNHIRAMAN,KAPPIKUNNUMMAL HOUSE
KINALOOR AMSOM, DESOM, KOYILANDI TALUK.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 15/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.Krishnan, J.

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W.P(C).No.30445 of 2007

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Dated this the 15th day of October, 2007.

JUDGMENT

It is clear from the documents produced by the writ petitioner himself that the suit itself has been dismissed on 10.8.2007. So, the question of transfer does not arise for the time being. If the suit is restored and the same grievance continues, the plaintiff is at liberty to file an application for transfer, which can be considered in accordance with law.

Writ petition is dismissed.

M.N.Krishnan,
Judge.

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